

**COMBINED DECLARATION AND POWER OF ATTORNEY  
IN PATENT APPLICATION**

Attorney Docket No. FHCR-1-4958

As a below named inventor, I hereby declare that:

my residence, post office address and citizenship are as stated below next to my name;

I believe that I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are listed below) of the subject matter that is claimed and for which patent is sought on the invention entitled: IL-4 ACTS SYNERGISTICALLY WITH IL-4 $\beta$  TO PROMOTE LYMPHOCYTE ADHESION TO MICROVASCULAR ENDOTHELIUM BY INDUCTION OF VCAM-1, the specification of which was filed on August 2, 1990, as Application Serial No. 07/562,008.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith: Bruce E. O'Connor, Reg. No. 24,849; Lee E. Johnson, Reg. No. 22,946; Gary S. Kindness, Reg. No. 22,178; James W. Anable, Reg. No. 26,827; James R. Uhlir, Reg. No. 25,096; Jerald E. Nagae, Reg. No. 29,418; Michael W. Bocianowski, Reg. No. 28,692; Michael G. Toner, Reg. No. 27,601; John B. Mason, Reg. No. 29,563; Thomas F. Broderick, Reg. No. 31,332; Ronald M. Anderson, Reg. No. 28,829; Dennis K. Shelton, Reg. No. 26,997; Robert R. Cook, Registration No. 31,602; and the firm of Christensen, O'Connor, Johnson & Kindness.

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Seattle, WA 98101

Address all telephone calls to Thomas F. Broderick at telephone No. (206) 224-0709.

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by

fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Inventor's Signature      Date  
*Boris Masinovsky*      27 August 1990

2-20  
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3-30  
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TFB/sp  
3/1-4958-102

1 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2 Applicant: B. Masinovsky et al.

Attorney Docket No. FHCR-1-4958

3 Serial No: 07/562,008

Group Art Unit: 182

4 Filed: August 2, 1990

Examiner: Donna C. Wortman, Ph.D.

5 Title: IL-4 ACTS SYNERGISTICALLY WITH IL-1 $\beta$  TO PROMOTE LYMPHOCYTE  
6 ADHESION TO MICROVASCULAR ENDOTHELIUM BY INDUCTION OF  
VCAM-1

7 DECLARATION BY ASSIGNEE

8 TO THE COMMISSIONER OF PATENTS AND TRADEMARKS:

9 Fred Hutchinson Cancer Research Center, the Assignee of the above-identified patent  
10 application (by the Assignment recorded in the Patent and Trademark Office at frames 503-504 of  
11 reel 5464), declares and states as follows:

12 The hybridoma designated HB 10519 was deposited as a Budapest Treaty deposit at the  
13 American Type Culture Collection on August 2, 1990.

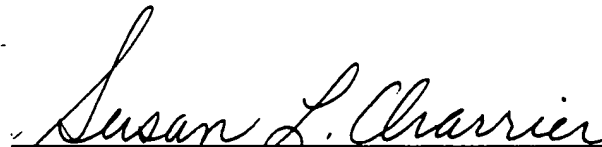
14 The Fred Hutchinson Cancer Research Center hereby assures the accession of the  
15 HB 10519 cell line by declaring as follows: that all restrictions on the availability to the public of  
16 the HB 10519 cell line will be irrevocably removed upon the granting of a patent based upon the  
17 above-identified patent application; that the HB 10519 cell line will thereafter be made available  
18 for distribution to the public for either a period of thirty years from the deposit date, or until at  
19 least five years after the most recent request for the HB 10519 cell line at the depository, or for  
20 the enforceable life of the U.S. patent pursuant to M.P.E.P. 608.01(p)C, whichever is longest;  
21 and that the HB 10519 cell line will be replenished at the depository should it become nonviable.

22 Further, that all statements made herein of our knowledge are true, that all statements  
23 made on information and belief are believed to be true, and that these statements were made with  
24 the knowledge that willful false statements and the like so made are punishable by fine or  
25

1 imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that willful  
2 false statements may jeopardize the validity of any patent issuing from the above-identified patent  
3 application.

4 FRED HUTCHINSON CANCER RESEARCH CENTER

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7 Date: Mar. 11, 1992



8 Susan L. Charrier, M.B.A.

9 Director, Technology Transfer and Regulatory Review

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# American Type Culture Collection

12301 Parklawn Drive • Rockville, MD 20852 USA • Telephone: (301)231-5520 • Telex: 898-055 ATCCNORTH • FAX: 301-770-2587

## BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

### INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3  
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

To: (Name and Address of Depositor or Attorney)

Fred Hutchinson Cancer Research Center  
Attention: Boris Masinovsky, Ph.D.  
1124 Columbia Street  
Seattle, WA 98104

Deposited on Behalf of: Fred Hutchinson Cancer Research Center  
(Ref: 034-1P-4958)

Identification Reference by Depositor:

ATCC Designation

Murine Hybridoma, VIII-6G10

HB 10519

The deposit was accompanied by: \_\_\_\_ a scientific description \_\_\_\_ a proposed taxonomic description indicated above.

The deposit was received August 2, 1990 by this International Depository Authority and has been accepted.

AT YOUR REQUEST:

X We will inform you of requests for the strain for 30 years.

The strain will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strain.

If the culture should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace it with a living culture of the same.

The strain will be maintained for a period of at least 30 years after the date of deposit, and for a period of at least five years after the most recent request for a sample. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the culture cited above was tested August 14, 1990. On that date, the culture was viable.

International Depository Authority: American Type Culture Collection, Rockville, Md. 20852 USA

Signature of person having authority to represent ATCC:

Bobbie A. Brandon  
Bobbie A. Brandon, Head, ATCC Patent Depository

Date: August 14, 1990

cc: Susan L. Charrier  
✓ Thomas Broderick, Esq.